IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

WEBSTONE CO., INC.
One Appian Way
Worcester, Massachusetts 01610,

Plaintiff,

v.

RAVEN PRODUCTS, INC.
100 Fountain Street
Framingham, Massachusetts 01702,

Defendants

05 11394 JLT

CIVIL ACTION NO.

JUDGE:

RECEIPT # 65330
AMOUNT $ 250.00
SUMMONS ISSUED 1
LOCAL RULE 4.1 -
WAIVER FORM -
MCF ISSUED -
BY DPTY CLK M.P.
DATE 7/1/2005

COMPLAINT FOR PATENT INFRINGEMENT

MAGISTRATE JUDGE LTS

PARTIES AND JURISDICTION

1. Webstone Co., Inc. ("Webstone") is a corporation organized and existing under the laws of Massachusetts with its principal place of business in Worcester, Massachusetts.

2. Upon information and belief, Raven Products, Inc. ("Raven") is a corporation with its principal place of business in Framingham, Massachusetts.

3. This action for patent infringement is brought under the patent laws of the United States, including 35 U.S.C. §§271 et seq..

4. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§1331 and 1338(a).

5. Venue is proper in this Court pursuant to 28 U.S.C. §§1391(b) and (c) and 1400(b) as the product accused of infringing the patent in suit has been and is being sold in this district.

CLAIM FOR PATENT INFRINGEMENT
(Count I)

6. Webstone realleges and incorporates by reference Paragraphs 1 through 5 of this Complaint as if separately restated herein.

7. Webstone is the owner of all right, title and interest in and to U.S. Patent No. 6,779,561 (the "'561 Patent") which duly issued on August 24, 2004, entitled "Single Flanged End Ball Valve of Unitary Construction." A copy of the '561 Patent is attached as Exhibit A.

8. Raven, offers for sale and sells in the United States, including in this judicial district, a Ball Valve device (the "Raven Infringing Device").

9. The Raven Infringing Device has infringed and continues to infringe the claims of the '561 Patent.

10. Raven has infringed and continues to infringe the '561 Patent by manufacturing, offering for sale and selling the Raven Infringing Device in this judicial district and elsewhere and will continue to do so unless enjoined by this Court.

11. Raven's acts of infringement are willful as Raven has had actual knowledge of the '561 Patent, and has acted in complete disregard for Webstone's patent rights.

12. Raven's acts of infringement have caused and will continue to cause substantial and irreparable damage to Webstone.

13. Webstone has no adequate remedy at law.

WHEREFORE, Webstone requests the relief set forth below.

PRAYERS FOR RELIEF

1. That the Court enter judgment that defendant has infringed the '561 Patent;

2. That pursuant to Count I, the Court preliminarily and permanently enjoin defendant, its subsidiaries, affiliates, divisions, officers, agents, servants, employees, directors, partners, representatives and all parties in active concert and/or participation with them from directly or indirectly making, having made, selling, offering for sale, distributing and/or using products that infringe the '561 Patent including the Raven Infringing Device;

3. That the Court enter judgment that defendant's acts of infringement were committed willfully;

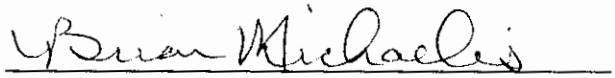
4. That the Court award Webstone damages adequate to compensate for Raven's infringement, including damages for sales of articles that Raven has sold and would not have sold but for its sales of the Raven Infringing Device (i.e. convoyed sales), together with interest;

5. That the Court treble damages pursuant to 35 U.S.C. § 284;

6. That the Court find this to be an exceptional case under 35 U.S.C. § 285 and award Webstone its reasonable attorneys' fees and costs; and

7. Such other and further relief that this Court deems just and proper.

Respectfully submitted,
WEBSTONE CO., INC.,
By their attorneys,



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Dated: June 30, 2005

1367189 v1 - DORNSL - 001171/1171

US006779561B2

(12) **United States Patent**
Reck

(10) **Patent No.: US 6,779,561 B2**
(45) **Date of Patent: *Aug. 24, 2004**

(54) **SINGLE FLANGED END BALL VALVE OF UNITARY CONSTRUCTION**

(76) Inventor: **Michael E. Reck**, 15 Pearl St., Belmont, MA (US) 02478

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

This patent is subject to a terminal disclaimer.

(21) Appl. No.: **10/698,164**

(22) Filed: **Oct. 31, 2003**

(65) **Prior Publication Data**

US 2004/0089356 A1 May 13, 2004

Related U.S. Application Data

(63) Continuation of application No. 10/097,762, filed on Mar. 14, 2002, now Pat. No. 6,655,412.
(60) Provisional application No. 60/300,345, filed on Jun. 22, 2001, and provisional application No. 60/300,622, filed on Jun. 25, 2001.

(51) **Int. Cl.**[7] **F16K 11/22**
(52) **U.S. Cl.** **137/883**; 251/315.14
(58) **Field of Search** 137/883, 596, 137/887; 251/315.14

(56) **References Cited**

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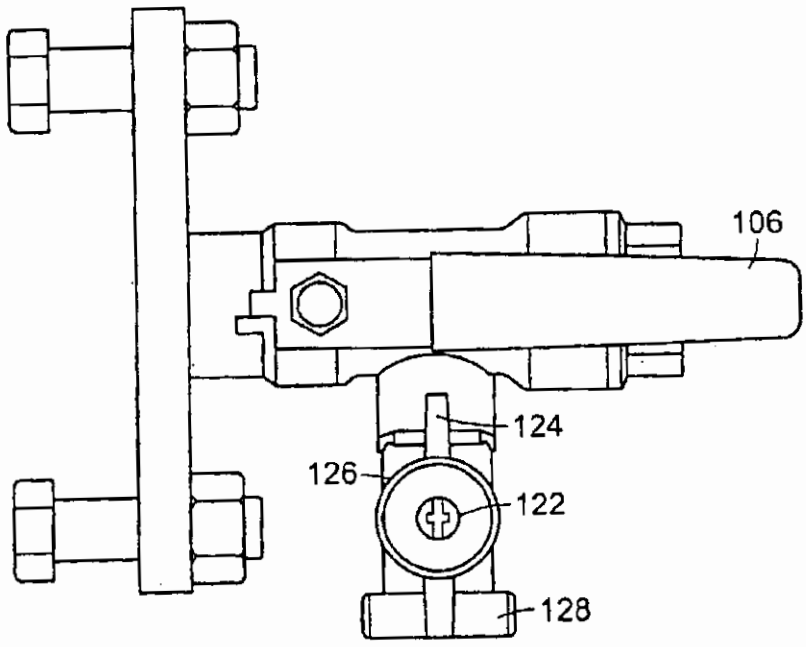
Primary Examiner—John Fox

(57) **ABSTRACT**

A ball valve unit for shutting off the flow of fluids flowing in heating and plumbing systems. The ball valve unit includes a ball valve and a main section including a flange formed integrally with the main section. A chamber is formed in the main section for receiving the ball of the ball valve. The main section is made of brass in order to prevent galvanic action between ball valve unit and the heating/plumbing system.

9 Claims, 8 Drawing Sheets



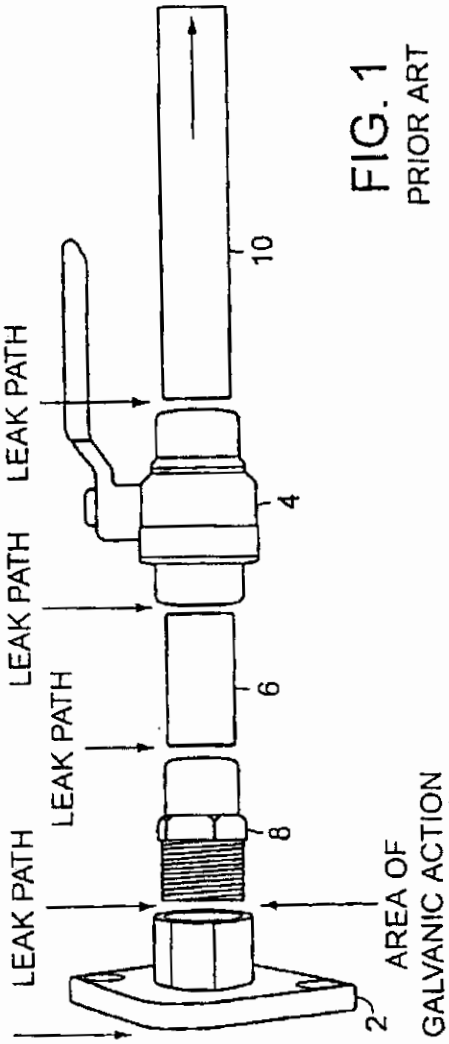


FIG. 1
PRIOR ART

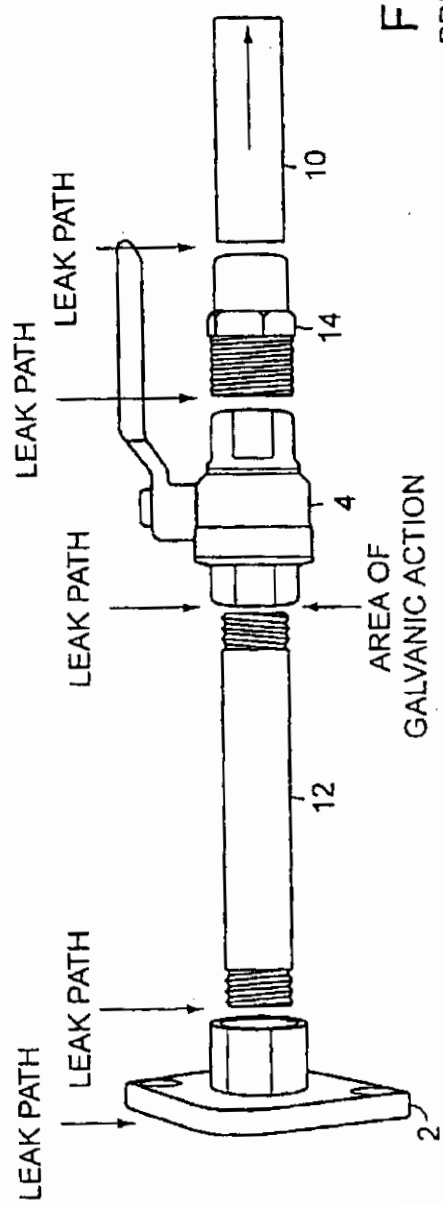


FIG. 2
PRIOR ART

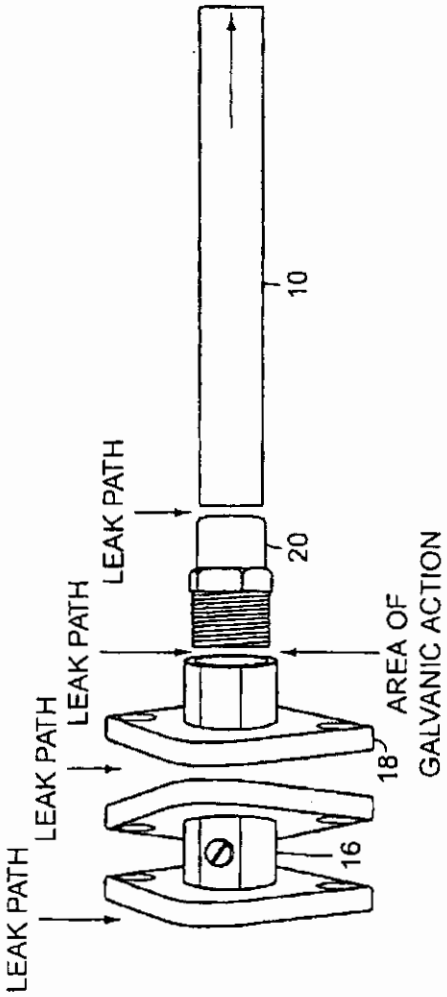


FIG. 3
PRIOR ART

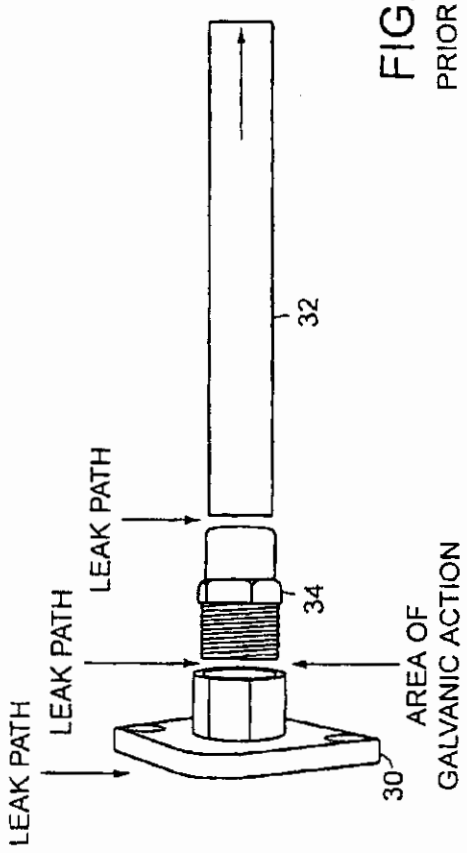


FIG. 4
PRIOR ART

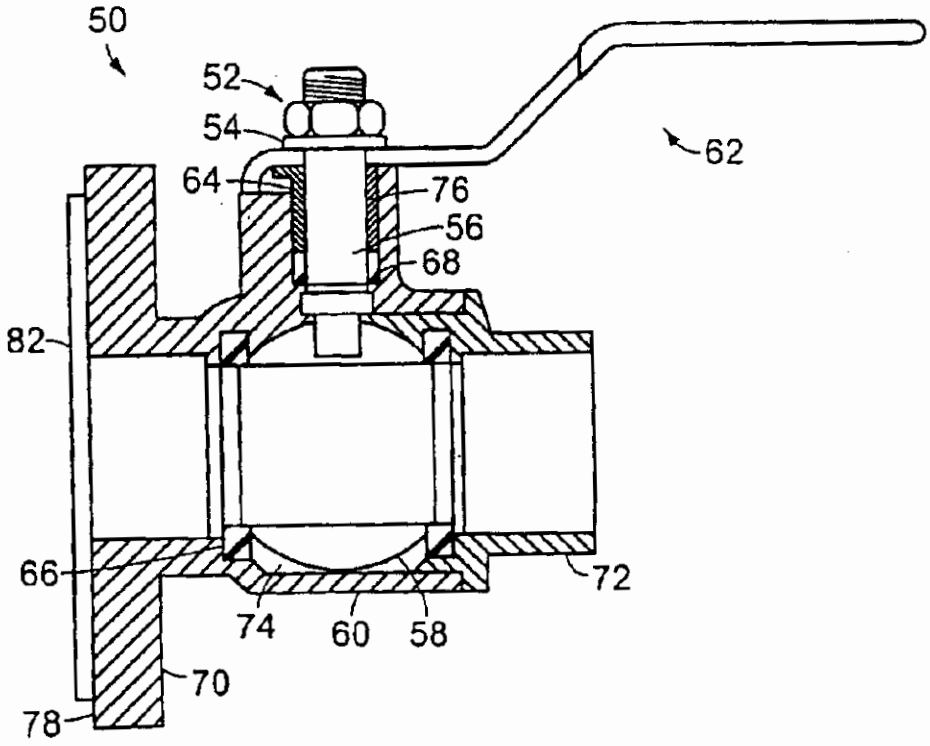


FIG. 5A

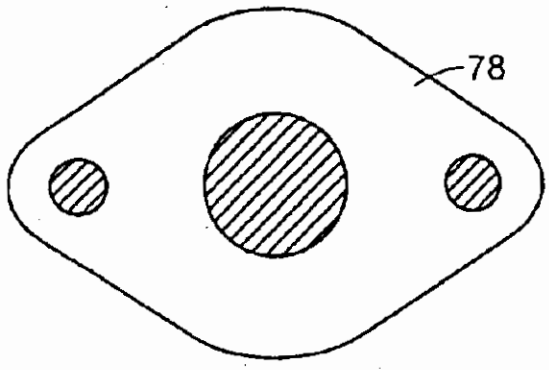


FIG. 5B

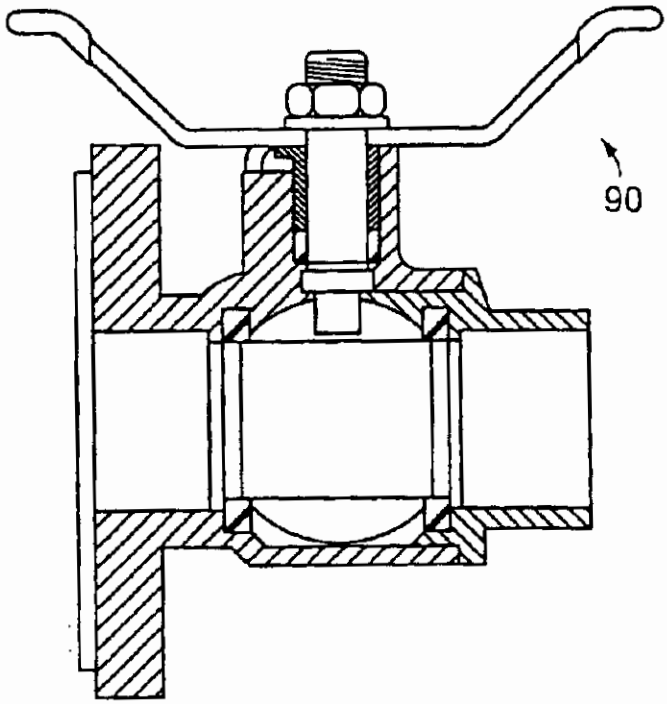


FIG. 6A

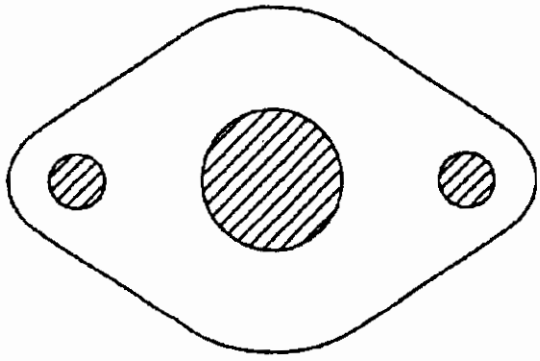


FIG. 6B

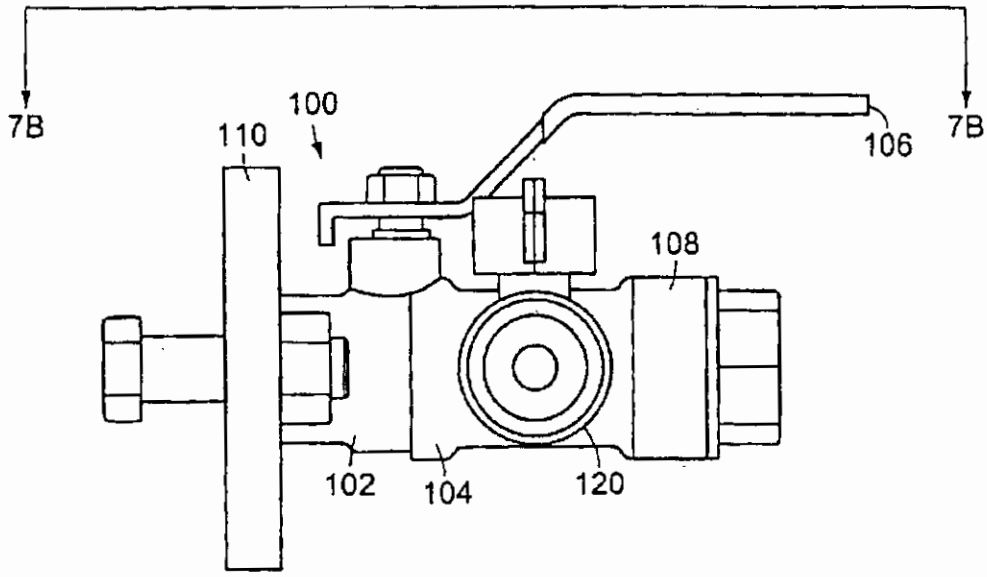


FIG. 7A

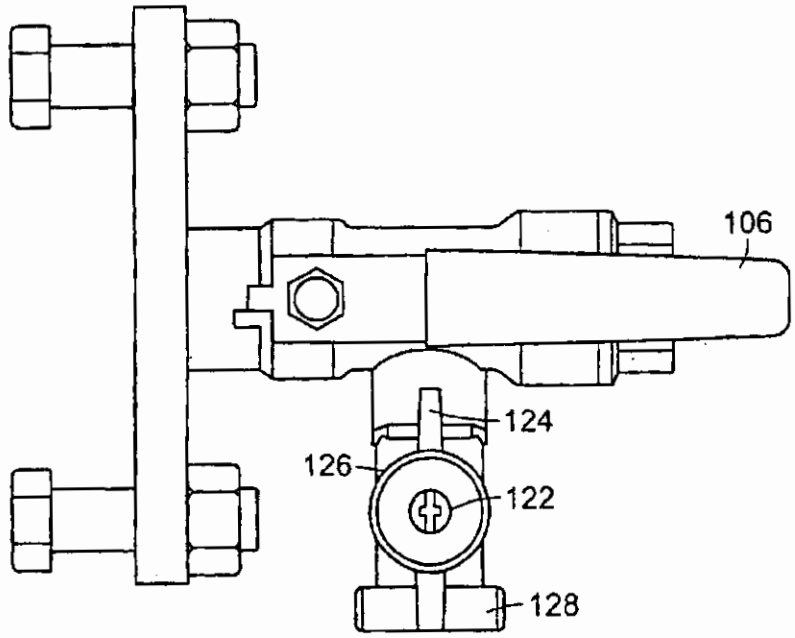


FIG. 7B

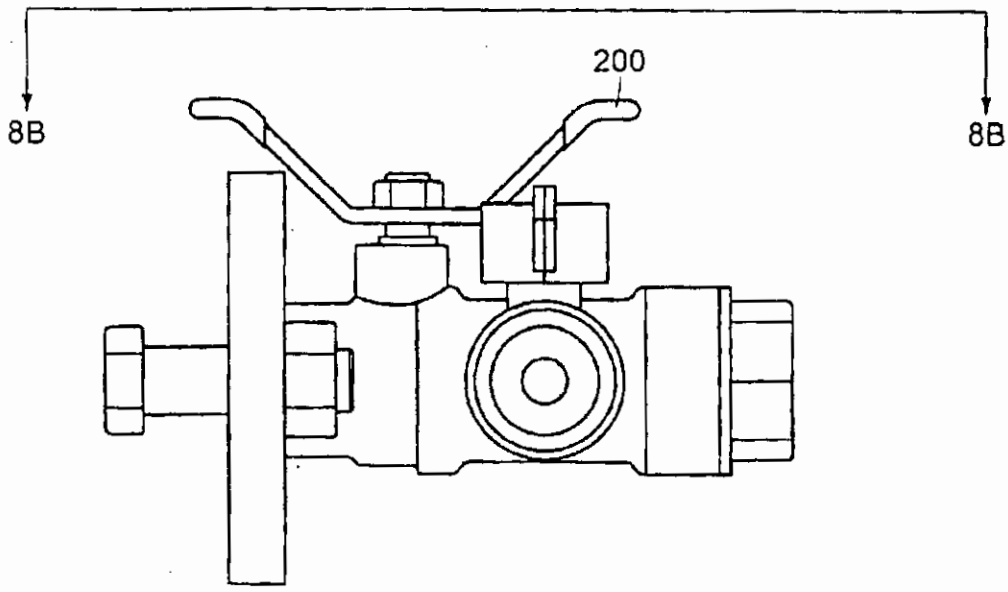


FIG. 8A

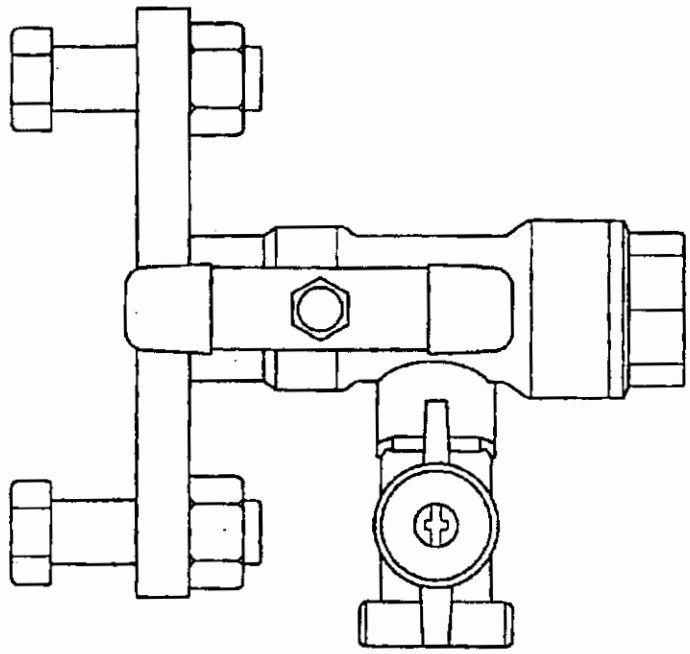


FIG. 8B

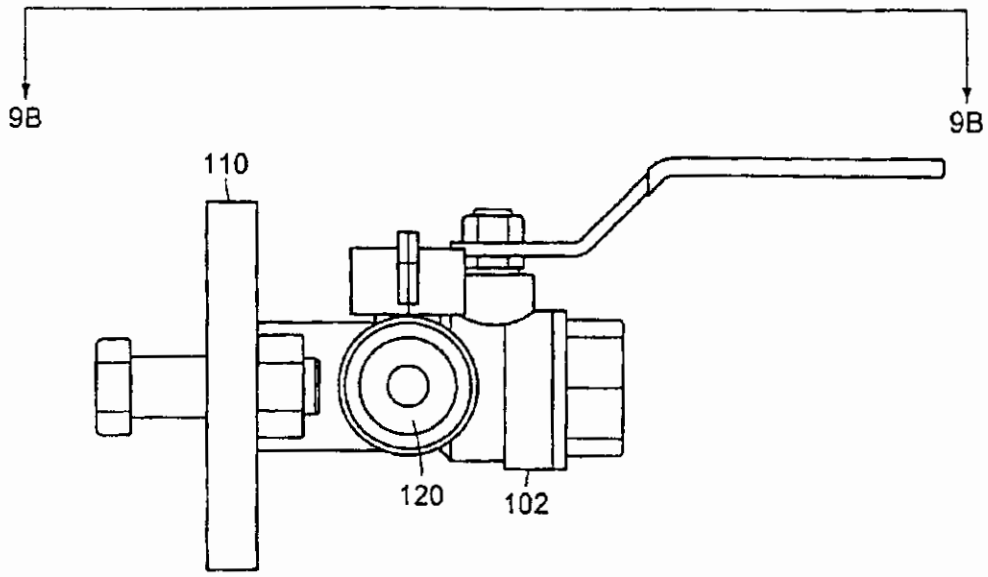


FIG. 9A

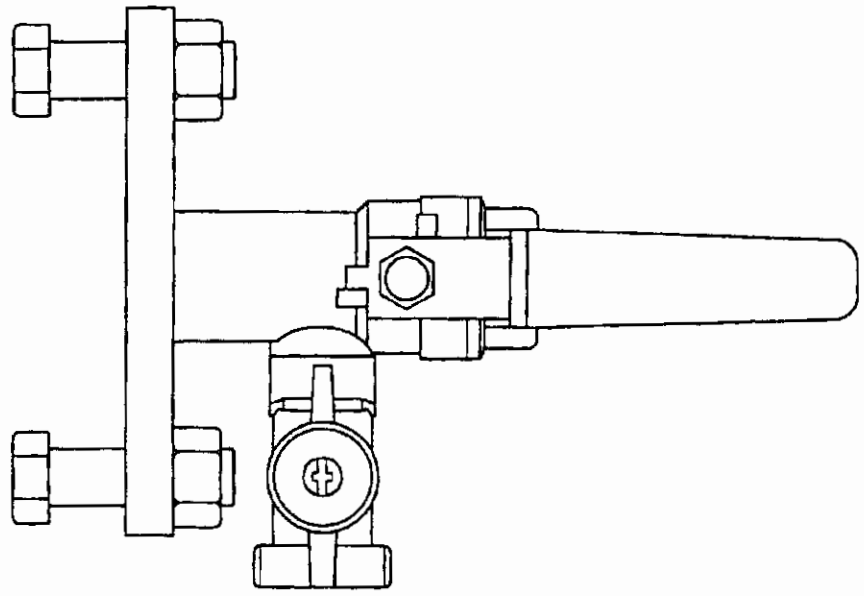


FIG. 9B

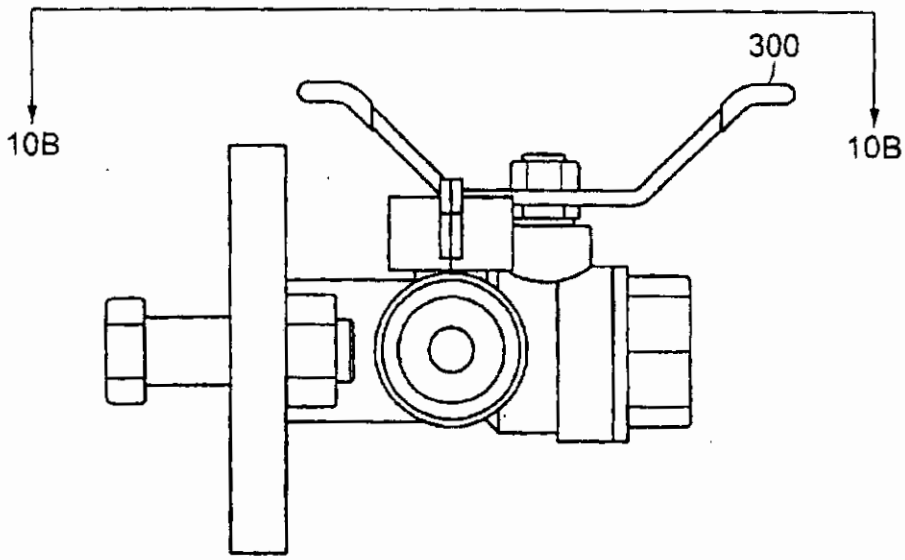


FIG. 10A

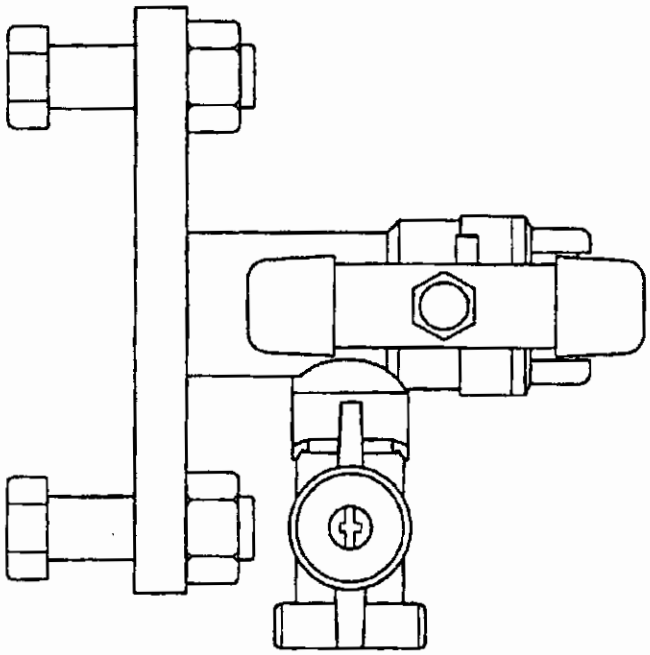


FIG. 10B

SINGLE FLANGED END BALL VALVE OF UNITARY CONSTRUCTION

CROSS REFERENCE TO RELATED APPLICATIONS

This Patent Application is a Continuation of application Ser. No. 10/097,762, filed Mar. 14, 2002 now U.S. Pat. No. 6,655,412 which claims priority from U.S. Provisional Patent Application Ser. No. 60/300,345, filed on Jun. 22, 2001 and U.S. Provisional Patent Application Ser. No. 60/300,622, filed on Jun. 25, 2001, the contents of which are incorporated herein by reference in its entirety.

BACKGROUND

This invention relates generally to ball valves, and more particularly to a flanged end ball valve of unitary construction.

Traditionally, a ball valve is used in plumbing and heating applications to shut off the flow of water or other fluid during replacement or repair of an in-line appliance or piece of equipment, such as a circulating pump. As shown in FIG. **1**, typically, a ball valve used in a plumbing and heating application includes a separate flange **2**, a conventional ball valve **4**, and a copper nipple **6** and copper adapter **8** that connect the flange **2** to the conventional ball valve **4**. The ball valve **4** is attached to the plumbing or heating system with copper tubing **10**. The in-line appliance (not shown) is attached to the flange **2**. Alternatively, an iron nipple **12** has been used to connect the flange **2** to the ball valve **4**, and a copper adapter **14** has been used to connect the ball valve **4** to the copper tubing **10**, as shown in FIG. **2**.

As shown in FIGS. **1** and **2**, in the conventional methods, there are several potential leak paths. Also, there are areas of galvanic action between dissimilar metals. Further, installation of the flange, the nipples, and the adapters in this type of configuration is time consuming and expensive.

The conventional method shown in FIG. **3** includes an iron flange **16** that includes a screwdriver slot ball valve. The flange **16** is connected to a second iron flange **18**. A copper adapter **20** connects the iron flange **18** to copper tubing **10**. In this configuration, since the flange **18** is made of iron, there is an area of galvanic action between the iron flange **18** and the copper adapter **20**. Also, there are several potential leak paths. Further, this configuration is complex, which increases the cost and installation time.

FIG. **4** shows another conventional configuration. This configuration includes an iron flange **30** connected to a copper tube **32** via a copper adapter **34**. In this conventional configuration, it is not possible to isolate an in-line appliance, thereby making repair and replacement of the in-line appliance burdensome. Also, there are several potential leak paths. Further, there are areas of galvanic action between the copper adapter **34** and the iron flange **30**.

SUMMARY OF THE INVENTION

The present invention provides a ball valve unit that reduces the cost and time required to replace in-line appliances such as pumps.

The ball valve unit of the present invention also reduces the number of joints and flanges, thereby reducing the volume of the plumbing system and the number of leakage paths.

Further, the present invention also provides a ball valve unit that prevents the cracking of brittle iron flanges and prevents galvanic action.

The present invention comprises a main section, a flange for connecting the ball valve unit to an appliance, wherein the flange is integrally formed with the main section, a ball valve, a chamber formed in the main section for accommodating the ball of the ball valve, and a handle for actuating the ball valve.

BRIEF DESCRIPTION OF THE DRAWINGS

The foregoing and other features and advantages of the present invention will be more fully understood from the following detailed description of illustrative embodiments, taken in conjunction with the accompanying drawings in which:

FIG. **1** shows a first conventional system.

FIG. **2** shows a second conventional system.

FIG. **3** shows a third conventional system.

FIG. **4** shows a fourth conventional system.

FIGS. **5**A and **5**B show cross-sectional views of one embodiment of the ball valve unit of the present invention.

FIGS. **6**A and **6**B show cross-section views of a second embodiment of the ball valve unit of the present invention.

FIGS. **7**A and **7**B show a third embodiment of the ball valve unit of the present invention.

FIGS. **8**A and **8**B show a fourth embodiment of the ball valve unit of the present invention.

FIGS. **9**A and **9**B show a fifth embodiment of the ball valve unit of the present invention.

FIGS. **10**A and **10**B show a sixth embodiment of the ball valve unit of the present invention.

DETAILED DESCRIPTION OF THE INVENTION

FIG. **5**A shows a cross-sectional view of one embodiment of the present invention. As shown in FIG. **5**A, the single flanged ball valve unit, according to the present invention, is designated by reference number **50**. It comprises a handle nut **52**, a washer **54**, a stem **56**, a ball **58**, a body **60**, a handle **62**, a packing gland **64**, seats **66**, and a stem seal **68**. The body **60** comprises a main section **70** and an end cap **72**. The main section **70** includes a chamber **74** adapted to accommodate the ball **58** and seats **66**, a stem hole **76** to receive the stem **56** and stem seal **68**, and a flange **78** to be positioned juxtaposed an inline appliance or equipment, such as a circulating pump (not shown). The ball valve unit **50**, preferably, is 600 PSI rated for use with water, oil or gas. The inner diameter of the chamber **74** is substantially equal to the inner diameter of the end cap **72**, thereby maximizing flow through the ball valve unit. FIG. **5**B shows a side view of the flange **78**.

The main section **70** and flange **78** are of unitary constriction and preferably made from cast or hot forged brass. Since plumbing and heating systems typically comprise brass or copper tubing, this prevents the occurrence of electrolysis and galvanic action at the junction of the ball valve unit and the system tubing. Also, brass is a much softer alloy than traditional iron used for the flanges currently on the market that often crack when slightly over tightened.

The ball **58** is preferably made of Brass/Hard Chrome Plate and fits between seats **66**, preferably made from Teflon® or PTFE. The ball **58** is actuated with a blow-out proof stem **56** preferably made of Brass (ASTM B124-C37700). The ball **58** is actuated with a handle **62**, preferably made of stamped steel with a vinyl coating.

The stem **56** is sealed with a stem seal **68**, preferably made from Teflon® or PTFE, and an adjustable packing gland **64**, preferably Brass (ASTM B124-C37700).

The end cap **72**, preferably Brass (ASTM B124-C37700), is a threaded NPT (National Pipe Thread) connection, a Sweat (copper tubing) connection or a PEX (Cross Link Polyethylene) connection. The end cap **72** can be of varying sizes such as ½", ¾", 1", 1¼", 1½" and 2". The end cap **72** can be an (NPT) ANSI BI.20.1 threaded end (½"-2"), an ANSI B16.18 solder end (½"-2"), or a PEX insert end (½"-1").

When the ball valve unit is installed, the flange **78** is bolted to, for example, an iron flange that is part of a circulating pump (not shown). A rubber gasket **82** (preferably made of neoprene) forms the seal between the two flanges. The rubber gasket can be part of the flange **78** or the pump. The gasket stops two unlike metals from touching each other, thus eliminating galvanic action. Preferably, the flange **78** is substantially flat so that it will fit different size appliances. The flange **78** is consistent in size to fit most manufacturers smaller sized circulating pumps. A preferred length and thickness of the flange is 4⅛" and ⅜", respectively.

FIG. **6**A shows a cross-section of a second embodiment of the ball valve unit of the present invention. The second embodiment is substantially similar to the first embodiment. As shown in FIG. **6**A, the second embodiment includes a wing-shaped handle **90** to allow for easy actuation of the valve. FIG. **6**B shows a side view of the flange **78**.

FIGS. **7**A and **7**B show a third embodiment of the ball valve unit of the present invention. As shown in FIG. **7**A, the ball valve unit **100** includes similar components as the ball valve unit **50** of the first embodiment. Specifically, the ball valve unit **100** comprises, inter alia, ball valve **102**, main section **104**, handle **106**, end cap **108**, and flange **110**. In addition, the ball **7** valve unit **100** includes a drain valve **120**. The drain valve **120** is used to drain the system in the vicinity of the ball valve **102**. The drain valve **120** comprises a ball valve **122** that is actuated by a handle **124**. The ball valve **122** is housed in extension tubing **126** that is fitted to the main section **104** of the ball valve unit **100**. A hose (not shown) can be attached to the extension tubing for draining the system. The extension tubing **126** preferably is made from cast or hot forged brass.

FIGS. **8**A and **8**B show a fourth embodiment of the ball valve unit of the present invention. The fourth embodiment is substantially similar to the third embodiment and includes a wing-shaped handle **200**, as shown in FIGS. **8**A and **8**B.

FIGS. **9**A and **9**B show a fifth embodiment of the ball valve unit of the present invention. The fifth embodiment is substantially similar to the third embodiment. In the fifth embodiment, the drain valve **120** positioned between the flange **110** and ball valve **102**, as shown in FIGS. **9**A and **9**B.

FIGS. **10**A and **10**B show a sixth embodiment of the ball valve unit of the present invention. The sixth embodiment is substantially similar to the fifth embodiment and includes a wing-shaped handle **300**.

The present invention, without the addition of any additional components, can be used to quickly and easily replace plumbing components and appliances such as pumps. The appliance can be changed by simply closing the ball valves and loosening bolts in the flanges on each side of the appliance. The appliance will then drop out and a new one can be placed back in, thereby minimizing installation problems.

Further, because the ball valve is formed integral with the flange, the number of joints is reduced, thereby reducing the volume of the system and the number of leak paths.

Although the invention has been described with respect to various embodiments, it should be realized this invention is also capable of a wide variety of further and other embodiments. For example, the handle **62, 90, 106, 200, 300** can be a different type than those shown in FIGS. **5**A–**10**B. In addition to brass, the body **60** and main section **70** can be made of any material that reduces galvanic action, for example, copper, PVC, or bronze. Also, in the embodiments shown in FIGS. **7**A–**10**B, a bleeder valve can be used in addition to, or in place of, the drain valve.

What is claimed is:

1. A ball valve unit comprising:

a ball section, said ball section defining a stem chamber and a ball chamber, said stem chamber disposed adjacent to and extending outwardly from said ball chamber;

a ball valve including a ball, said ball disposed completely within said ball chamber;

a stem disposed within and extending outwardly from said stem chamber and connected to said ball disposed within said ball chamber, an exposed portion of said stem extending beyond said stem chamber;

a handle connected to said exposed portion of said stem disposed within said stem chamber and connected to said ball, wherein actuation of said handle effects actuation of said ball for operating said ball valve unit;

a main section;

a drain valve communicating with at least one of the ball section and said main section; and

a flange formed as a continuous portion of at least one of said main section and said ball section, said ball section including said stem chamber and said ball chamber, wherein said flange, said main section and said ball section including said stem chamber and said ball chamber being formed as a single piece formed of a rigid material.

2. The ball valve unit of claim **1**, wherein said ball valve unit further includes a gasket disposed adjacent to said flange for forming a seal between said flange and an appliance.

3. The ball valve unit of claim **1**, wherein said main section and said ball section are made of brass.

4. The ball valve unit of claim **1**, further including an end cap attached to at least one of said main section and said ball section.

5. The ball valve unit of claim **4**, wherein said main section and said end cap are made of brass.

6. The ball valve unit of claim **1**, wherein an outside surface of said flange is substantially flat.

7. The ball valve unit of claim **1**, wherein said handle is wing-shaped.

8. The ball valve unit of claim **4**, wherein an inner diameter of said chamber is substantially equal to an inner diameter of said end cap.

9. A ball valve unit of claim **1**, wherein said drain valve is disposed between said flange and said ball valve.

* * * * *

AO 120 (Rev. 3/04)

TO:	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court for District of MA on the following G Patents or G Trademarks:

DOCKET NO.	DATE FILED 6/30/05	U.S. DISTRICT COURT for the District of Massachusetts
PLAINTIFF Webstone Co., Inc. One Appian Way Worcester, MA 01610		DEFENDANT Raven Products, Inc. 100 Fountain Street Framingham, MA 01702

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	6,779,561	8/24/04	Michael E. Reck
2			
3			
4			
5			

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY G Amendment G Answer G Cross Bill G Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE

Copy 1—Upon initiation of action, mail this copy to Director **Copy 3—Upon termination of action, mail this copy to Director**
Copy 2—Upon filing document adding patent(s), mail this copy to Director **Copy 4—Case file copy**

JS 44 (Rev. 3/99)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Webstone Co., Inc.
One Appian Way
Worcester, MA 01610

(b) County of Residence of First Listed Plaintiff Worcester
(EXCEPT IN U.S. PLAINTIFF CASES)

DEFENDANTS

Raven Products, Inc.
100 Fountain Street
Framingham, MA 01702

County of Residence of First Listed Middlesex
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Brian L. Michaelis, Esquire 617-856-8369
Brown Rudnick Berlack Israels LLP
One Financial Cenger, Boston, MA 02111

Attorneys (If Known)

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II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
(For Diversity Cases Only)

	DEF		DEF
Citizen of This State ☒ 1	☐ 1	Incorporated *or* Principal Place of Business In This State ☒ 4	☐ 4
Citizen of Another State ☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State ☐ 5	☐ 5
Citizen or Subject of a Foreign Country ☐ 3	☐ 3	Foreign Nation ☐ 6	☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excl. Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability

TORTS

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury

PERSONAL INJURY
- ☐ 362 Personal Injury—Med. Malpractice
- ☐ 365 Personal Injury — Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

CIVIL RIGHTS
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 444 Welfare
- ☐ 440 Other Civil Rights

PRISONER PETITIONS
- ☐ 510 Motions to Vacate Sentence
- Habeas Corpus:
- ☐ 530 General
- ☐ 535 Death Penalty
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition

FORFEITURE/PENALTY
- ☐ 610 Agriculture
- ☐ 620 Other Food & Drug
- ☐ 625 Drug Related Seizure of Property 21 USC
- ☐ 630 Liquor Laws
- ☐ 640 R.R. & Truck
- ☐ 650 Airline Regs.
- ☐ 660 Occupational Safety/Health
- ☐ 690 Other

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Mgmt. Relations
- ☐ 730 Labor/Mgmt.Reporting & Disclosure Act
- ☐ 740 Railway Labor Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Empl. Ret. Inc. Security Act

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

PROPERTY RIGHTS
- ☐ 820 Copyrights
- ☒ 830 Patent
- ☐ 840 Trademark

SOCIAL SECURITY
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIW C/DIW W (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce/ICC Rates/etc.
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 810 Selective Service
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 875 Customer Challenge 12 USC 3410
- ☐ 891 Agricultural Acts
- ☐ 892 Economic Stabilization Act
- ☐ 893 Environmental Matters
- ☐ 894 Energy Allocation Act
- ☐ 895 Freedom of Information Act
- ☐ 900 Appeal of Fee Determination Under Equal Access to Justice
- ☐ 950 Constitutionality of State Statutes
- ☐ 890 Other Statutory Actions

V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

35 U.S.C. Section 271
Infringement of US Patent No. 6,779,561

VII. REQUESTED IN COMPLAINT: ☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND $ CHECK YES only if demanded in complaint: JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE DOCKET NUMBER

DATE 6-30-05 SIGNATURE OF ATTORNEY OF RECORD Brian Michaelis

FOR OFFICE USE ONLY

RECEIPT # AMOUN APPLYING IFP JUDGE MAG. JUDGE

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

1. Title of case (name of first party on each side only) Webstone Co., Inc., One Appian Way, Worcester, MA 01610 v. Raven Products, Inc., 100 Fountain Street, Framingham, MA 01702

2. Category in which the case belongs based upon the numbered nature of suit code listed on the civil cover sheet. (See local rule 40.1(a)(1)).

☐	I.	160, 410, 470, 535, R.23, REGARDLESS OF NATURE OF SUIT.	
☒	II.	195, 196, 368, 400, 440, 441-446, 540, 550, 555, 625, 710, 720, 730, 740, 790, 791, 820*, 830*, 840*, 850, 890, 892-894, 895, 950.	*Also complete AO 120 or AO 121 for patent, trademark or copyright cases
☐	III.	110, 120, 130, 140, 151, 190, 210, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 370, 371, 380, 385, 450, 891.	
☐	IV.	220, 422, 423, 430, 460, 480, 490, 510, 530, 610, 620, [illegible]640, 650, 660, 690, 810, 861-865, 870, 871, 875, 900.	
☐	V.	150, 152, 153.	

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3. Title and number, if any, of related cases. (See local rule 40.1(g)). If more than one prior related case has been filed in this district please indicate the title and number of the first filed case in this court.

4. Has a prior action between the same parties and based on the same claim ever been filed in this court?
YES ☐ NO ☒

5. Does the complaint in this case question the constitutionality of an act of congress affecting the public interest? (See 28 USC §2403)
YES ☐ NO ☒

If so, is the U.S.A. or an officer, agent or employee of the U.S. a party?
YES ☐ NO ☒

6. Is this case required to be heard and determined by a district court of three judges pursuant to title 28 USC §2284?
YES ☐ NO ☒

7. Do all of the parties in this action, excluding governmental agencies of the united states and the Commonwealth of Massachusetts ("governmental agencies"), residing in Massachusetts reside in the same division? - (See Local Rule 40.1(d)).
YES ☐ NO ☒

A. If yes, in which division do all of the non-governmental parties reside?
Eastern Division ☐ Central Division ☐ Western Division ☒

B. If no, in which division do the majority of the plaintiffs or the only parties, excluding governmental agencies, residing in Massachusetts reside?
Eastern Division ☐ Central Division ☐ Western Division ☐

8. If filing a Notice of Removal - are there any motions pending in the state court requiring the attention of this Court? (If yes, submit a separate sheet identifying the motions)
YES ☐ NO ☐

(PLEASE TYPE OR PRINT)

ATTORNEY'S NAME Brian L. Michaelis
ADDRESS Brown Rudnick Berlack Israels LLP, one Financial Center, Boston, MA 02111
TELEPHONE NO. 617-856-8200

(CategoryForm.wpd - 5/2/05)